

**REMARKS**

Reconsideration of the rejection of Claim 14 under 35 U.S.C. §112, second paragraph, is requested in view of the foregoing amendment thereto addressed, *inter alia*, to the antecedent basis issue.

The rejection of Claims 14-17 and 22 as being anticipated by Bargheer et al under 35 U.S.C. §102(b) is respectfully traversed, and reconsideration is requested in view of the foregoing amendments and following comments.

With particular reference to Fig. 4 of the Bargheer et al patent, Applicants note that the prior art seat does not involve a backrest with a backrest extension from which an adjacent headrest is vertically separatable to define an intermediate space therebetween which accommodates a warming device with an air inlet opening and in an outlet opening at that intermediate space.

Instead, the Bargheer et al seat is one in which a duct arrangement is provided within the seat backrest frame 12 with an air outflow device 42 and nozzle 44 integrated into the vertically adjustable headrest 14. No indication or suggestion is given of the creation of an intermediate space of the type claimed herein which provides for a small volume device that can heat a passenger's nape and head area without any deleterious effect on vehicle aesthetics. The Bargheer et al seat is designed for open-top or convertible vehicles in which undesirable drafts can cause passenger discomfort. That known seat is not concerned with

heating a nape and head but instead is concerned with reducing undesirable draft phenomena.

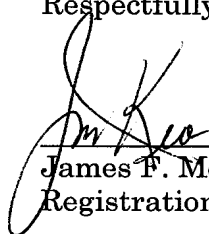
The Bargheer et al seat neither anticipates nor renders obvious the claimed subject matter herein. Accordingly, early and favorable action is now earnestly solicited along with rejoinder of the non-elected claims.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.58070US).

Respectfully submitted,

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James F. McKeown  
Registration No. 25,406

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JFM/cee  
dn#6716417\_1